

MICHAEL H. KING (Admitted)  
SPENCER R. WOOD (Admitted *Pro Hac Vice*)  
LEBOEUF, LAMB, GREENE & MACRAE LLP  
Two Prudential Plaza  
180 North Stetson Avenue, Suite 3700  
Chicago, Illinois 60601  
Telephone: (312) 794-8000  
Facsimile: (312) 794-8100

\*\*E-filed 4/27/06\*\*

SETH W. WIENER (State Bar No. 203747)  
LEBOEUF, LAMB, GREENE & MACRAE LLP  
One Embarcadero Center, Suite 400  
San Francisco, CA 94111-3619  
Telephone: (415) 951-1100  
Facsimile: (415) 951-1180

Attorneys for Plaintiff  
EDO Reconnaissance and Surveillance Systems, Inc.

**IN THE UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

EDO RECONNAISSANCE AND  
SURVEILLANCE SYSTEMS, INC., a Delaware  
Corporation,

Plaintiff,

v.

PHOENIX LOGISTICS, INC., an Arizona  
Corporation, RAYMOND BELLEFEUILLE, an  
individual, and CLAIRE BELLEFEUILLE, an  
individual,

Defendants.

Case No. C 05-02789 JF

**SECOND STIPULATION AND  
~~PROPOSED~~ ORDER EXTENDING  
TIME TO COMPLETE EARLY  
NEUTRAL EVALUATION**

WHEREAS, on November 18, 2005, the Court held a case management conference in this action, and ordered Plaintiff EDO Reconnaissance and Surveillance Systems, Inc. ("EDO RSS") and Defendant Phoenix Logistics, Inc. ("PLI") to complete an Early Neutral Evaluation on or before March 17, 2006;

WHEREAS, on December 20, 2005, the Alternative Dispute Resolution Clerk appointed Paul A. Renne, Esq. as the Early Neutral Evaluation Evaluator;

WHEREAS, EDO RSS and PLI advised Mr. Renne during a teleconference on January 27, 2006 that they were awaiting a ruling in a related arbitration and expected to file post-arbitration

1 motions regarding the enforcement of same, the deadline to complete the Early Neutral Evaluation  
2 was extended to May 17, 2006 by the Court pursuant to Mr. Renne's suggestion and a stipulation  
3 between EDO RSS and PLI;

4 WHEREAS, EDO RSS and PLI advised Mr. Renne during a teleconference on March 20,  
5 2006, that they were still awaiting a ruling in a related arbitration and expected to file post-  
6 arbitration motions regarding the enforcement of same, and also advised Mr. Renne that PLI filed a  
7 counterclaim that added several parties and several claims to the dispute;

8 WHEREAS, Mr. Renne scheduled the Early Neutral Evaluation for May 4, 2006 at 9:00  
9 a.m., but recommended that the parties seek an Order extending the deadline to complete the Early  
10 Neutral Evaluation to allow the newly named parties to enter the case and to allow EDO RSS and  
11 PLI to resolve anticipated post-arbitration motions; and

12 WHEREAS, EDO RSS and PLI agree that an extension of the May 17, 2006 deadline to  
13 complete an Early Neutral Evaluation is appropriate;

14 WHEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff EDO  
15 Reconnaissance and Surveillance Systems, Inc. and Defendant Phoenix Logistics, Inc. that the  
16 deadline to complete an Early Neutral Evaluation in the above-captioned action should be extended  
17 from May 17, 2006 to June 17, 2006.

18 SO STIPULATED:

19  
20 Dated: April 13, 2006

LEBOEUF, LAMB, GREENE & MACRAE LLP

21  
22 By: /s/ Seth W. Wiener

Seth W. Wiener

23 Attorney for Plaintiff EDO RECONNAISSANCE  
24 AND SURVEILLANCE SYSTEMS, INC.,

25 Dated: April 13, 2006

26 By:

27 /s/ Mark L. Venardi

Mark L. Venardi

28 Attorney for Defendants PHOENIX LOGISTICS,  
INC.

1 IT IS HEREBY ORDERED that that the deadline to complete an Early Neutral Evaluation in  
2 the above-captioned action is extended from May 17, 2006 to June 17, 2006.

3 SO ORDERED:

4  
5 Dated: April 27, 2006

  
United States District Court Judge Jeremy Fogel